Writ Petition No. 6356 (S/S) of 2001
(Old No. 16901/2000)

**Hon'ble M.M. Ghildiyal, J.**

Interim Relief Application No. 6582 of 2005

Heard Sri Rajendra Dobhal, learned counsel for the petitioner and learned standing counsel.

Learned counsel for the petitioner has submitted that petitioner, who is Assistant Teacher (Biology) at Government High School, Khankara, Rudraprayag was placed under suspension by order dated 26.02.2000 passed by Additions Director, Education, Uttaranchal. Aggrieved with the order of suspension the petitioner has filed the present writ petition. On 21.04.2000, the Allahabad High Court has passed stay order in favour of the petitioner. More than five years have passed but till date neither the chargesheet has been issued to the petitioner nor the State Government has filed counter affidavit.

Learned counsel for the petitioner has submitted that vide order dated 11.08.2005 Director of Education, Uttaranchal has transferred the petitioner from Government High School, Khankara, District – Rudraprayag, to Government Inter College, Balli, District – Pauri Garhwal. However, petitioner has not been relieved by the respondent no. 4 only on the ground that the writ petition is pending before this court.

In view of the aforesaid circumstances, order of suspension dated 26.02.2000 passed respondent no. 1 i.e. Additional Director, Education is quashed. Respondent no. 4 i.e. Principal, Government High School, Khankara, Rudraprayag, is directed to relieved the petitioner forthwith.

With petition is allowed. No order as costs.

**(M.M. Ghildiyal, J.)**

02.09.2005
S.K.S